



Libya

Country Reports on Human Rights Practices - [2002](#)

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The United States has no official presence in Libya. Information on the human rights situation therefore is limited; this report draws heavily on non-U.S. Governmental sources.

The Socialist People's Libyan Arab Jamahiriya is a dictatorship that has been ruled by Colonel Mu'ammar Al-Qadhafi (the "Brother Leader and Guide of the Revolution") since 1969, when he led a military coup that overthrew King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a "third way" superior to capitalism and communism. Libya's governing principles are derived predominantly from Qadhafi's "Green Book." In theory the citizenry rules the country through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qadhafi and his inner circle monopolize political power. Qadhafi is aided by extragovernmental organizations – the Revolutionary Committees – that exercise control over most aspects of citizens' lives. The judiciary was not independent of the Government, and security forces had the power to pass sentences without trial.

The country maintained an extensive security apparatus, consisting of several elite military units, including Qadhafi's personal bodyguards, local Revolutionary Committees, People's Committees, and "Purification" Committees. The result was a multilayered, pervasive surveillance system that monitored and controlled the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government dominated the economy through complete control of the country's oil resources, which accounted for approximately 95 percent of export earnings and an estimated 23 percent of the gross domestic product. Oil revenues were the principal source of foreign exchange. Much of the country's income has been lost to waste, corruption, conventional armament purchases, and attempts to develop weapons of mass destruction, as well as to large donations made to "liberation" movements and to developing countries in attempts to increase Qadhafi's influence in Africa and elsewhere. The Government's mismanagement of the economy has led to high inflation and increased import prices, resulting in a decline in the standard of living for most of its 5.4 million citizens in recent years. U.N. sanctions against the country were suspended – but not permanently lifted – in 1999 following the Government's surrender of two of its citizens suspected in the 1988 bombing of Pan Am flight 103. On March 14, a Scottish appellate court in the Netherlands upheld the conviction of Abdelbasset al-Megrahi in connection with the bombing. Megrahi subsequently appealed his sentence to the European Commission for Human Rights.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Citizens did not have the right to change their government. Qadhafi used summary judicial proceedings to suppress domestic opposition. Security forces tortured prisoners during interrogations and as punishment. Prison conditions were poor. Security forces arbitrarily arrested and detained persons, and many prisoners were held incommunicado. Many political detainees were held for years without charge or trial. The Government controlled the judiciary, and citizens did not have the right to a fair public trial or to be represented by legal counsel. The Government infringed on citizens' privacy rights, and citizens did not have the right to be secure in their homes or persons, or to own private property. The Government restricted freedom of speech, press, assembly, association, and religion. The Government imposed some limits on freedom of movement. The Government prohibited the establishment of independent human rights organizations.

Violence against women was a problem. Traditional attitudes and practices continued to discriminate against women, and female genital mutilation (FGM) was practiced in remote areas of the country. The Government discriminated against and repressed tribal groups. The Government continued to repress banned Islamic groups and exercised tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and the Warfalla tribe. The Government restricted basic worker rights, used forced labor, and discriminated against foreign workers. There have been reports of slavery and trafficking in persons. The country's human rights record came under intense international scrutiny after the African Union in June endorsed the country's nomination to chair the U.N. Commission on Human Rights (UNCHR) in 2003. The Government appointed for the first time in September a Secretary for Human Rights; at year's end, this fledgling ministry had yet to demonstrate any influence over the country's human rights policies.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There was one report that a person died as a result of torture while in custody. On September 6, the World Organization Against Torture (OMCT) reported that when Mohammad Massaud Izbeda inquired at the Revolutionary Committee Headquarters as to why his son had not been among 62 prisoners released by the Government on September 1, the authorities detained and tortured Mr. Izbeda. According to reports, he was released later that day and died the same night (see Section 1.c.).

An unknown number of deaths in custody occurred as a result of poor prison conditions (see Section 1.c.).

In 2001 the Government continued to take proactive measures to prevent the development of any serious opposition within the country, focusing its efforts primarily on Islamist groups. It reinforced the tightened security measures put in place following a 1996 prison mutiny in Benghazi by arresting possible dissidents, conducting military operations in the areas of insurrection, and killing a number of persons.

In October 2001, mobs killed an estimated 150 Africans, including a Chadian diplomat, in the worst outbreak of antforeigner violence since Qadafi took power in 1969. Government security forces reportedly intervened to stop the violence, but then deported hundreds of thousands of African migrant workers by driving them in convoys to the southern border and leaving them stranded in the desert (see Section 6.e.).

In November 2001, a German court found four persons, including a former government diplomat, guilty of murder and attempted murder in connection with the 1986 bombing of the La Belle disco in then-West Berlin. In rendering his oral verdict, the judge declared that there was clear government responsibility. The German Government immediately called upon the Government to admit responsibility and provide compensation for the victims.

U.N. sanctions against the country were suspended in 1999 after the Government surrendered two suspects wanted in connection with the bombing of Pan Am flight 103 over Scotland in 1988, which killed 259 persons on board and 11 persons on the ground. On March 14, a Scottish appellate court in the Netherlands upheld the conviction of government agent Abdelbasset al-Megrahi in connection with the bombing. In September Megrahi appealed the case to the European Court of Human Rights, alleging that his rights were breached during his 2000-2001 trial and the subsequent appeal. U.N. Security Council resolutions required the country to fulfill certain obligations regarding the Pan Am 103 bombing before sanctions may be permanently lifted, including accepting responsibility for the actions of its officials and paying appropriate compensation.

In March 1999, a French court convicted in absentia six defendants in the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons, and sentenced them to life in prison. In July 2000, the Government paid the French Government \$31 million (17 million dinars) to compensate the victims' families. During Foreign Minister Shalgam's official visit to Paris in October, the country agreed to pay further compensation to the families of UTA victims who did not receive compensation from the 2000 settlement.

b. Disappearance

In the past year, there were no reports of abductions; however, the Government in the past has abducted and killed dissidents in the country and abroad.

In January accusations of government responsibility for the 1978 disappearance of Lebanese Shi'a leader Imam Mousa al-Sadr and two of his companions in the country resurfaced when Qadhafi announced his intention to attend the Arab League Summit meeting in Beirut in March. A Lebanese Shi'a Muslim group called the Sadr Brigades responded by threatening unspecified action against Qadhafi if he came to Beirut, causing him to cancel his visit. The Government denied any involvement in Musa Sadr's disappearance, and in August the Government issued a public appeal for any information related to the disappearance. In October the Sadr Brigades publicly vowed vengeance against Qadhafi based on information it said Iran had provided which proved the country's culpability.

The Government did not take any action in the 1993 disappearance in Cairo of its citizen Mansur Kikhiya, a human rights and political activist.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law provides for fines against any official using excessive force; nonetheless, there were no known cases of prosecution for torture or abuse. Security personnel routinely torture prisoners during interrogations or for punishment. Government agents

reportedly detained and tortured foreign workers, particularly those from sub-Saharan Africa. Reports of torture were difficult to corroborate because many prisoners were held incommunicado. In July Qadhafi's son, Saif al-Islam, announced that the Government would make public the names of any government personnel involved in torture, even if they were senior officials, and would bring them trial. The Government had not made public any names by year's end. Methods of torture reportedly included: chaining to a wall for hours; clubbing; applying electric shock; applying corkscrews to the back; pouring lemon juice in open wounds; breaking fingers and allowing the joints to heal without medical care; suffocating with plastic bags; depriving of food and water; hanging by the wrists; suspending from a pole inserted between the knees and elbows; burning with cigarettes; attacking with dogs; and beating on the soles of the feet.

In May a court sentenced Ahmad Muhammad Ahmad al-Sharif, Sayyid Muhammad Ahmad, Dahmu Muhammad Abu Bakr al-Sharif, and Barkah Sidi Jira Barkah to have their right hands and left legs amputated in punishment for theft. The sentences were carried out in July and were the first in the country since Qadhafi came to power 1969.

On September 6, the World Organisation Against Torture (OMCT) reported that Mohammad Massaud Izbeda inquired at the Revolutionary Committee Headquarters as to why his son, Abdallah Mohammad Massaud Izbeda, had not been among the 62 prisoners released by the Government on September 1. Authorities at the headquarters detained and tortured Mr. Izbeda. According to reports, he was released later that day and died the same night. Security forces reportedly attempted to remove Izbeda's body from its gravesite on September 13 when a group of young persons intervened. Authorities arrested several, subjecting at least one, Seif Salem Aljadik, to torture, and reportedly killing others. Authorities also demolished both Mr. Izbeda and Mr. Aljadik's homes (see Section 1.a.).

In May 1999, in a much publicized case involving the HIV infection of nearly 400 children, 16 defendants, including 6 Bulgarians and 1 Palestinian, all health professionals, claimed that their confessions had been obtained under duress. In February a court in Benghazi conducted an official inquiry into the defendants' claims of torture. Defense lawyers for the professionals told the press that the inquiry was completed but the results were not communicated to the defense. In November the seven suspects told the Sunday Times that they had signed confessions after months of torture. The torture methods they described included electric shocks, beatings, sleep deprivation, intimidation by police dogs, and forcing one female suspect to undress and threatening to insert a lighted lamp into her vagina. These signed confessions are now the prosecution's best evidence against the suspects. The case remained pending at year's end. According to Amnesty International (AI), although the verdict was supposed to be announced in September 2001, no such action has occurred.

In 1998 152 professionals and students were arrested in Benghazi for alleged involvement with an Islamic organizations not known to have used or advocated violence. An international human rights organization noted that the defendants were subjected to arbitrary arrest, torture, and ill-treatment while being held in incommunicado detention (see Sections 1.d. and 1.e.).

Prison conditions reportedly were poor. According to AI, political detainees reportedly were held in cruel, inhuman, or degrading conditions, and denied adequate medical care, which led to several deaths in custody. The Government did not permit prison visits by human rights monitors, including the International Committee of the Red Cross (ICRC).

d. Arbitrary Arrest, Detention, or Exile

By law the Government may hold detainees incommunicado for unlimited periods. Security forces arbitrarily arrested and detained citizens. The Government held many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees.

Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups in violation of the 1994 Purge Law. The Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. "Purification committees enforced the law.

Hundreds of political detainees, many associated with banned Islamic groups, reportedly were held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many have been held for years without charge. Some human rights organizations estimated this number to be as high as 2,000. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers.

On February 16, a People's Court in Tripoli sentenced to death Salem Abu Hanak and Abdullah Ahmed Izzedin, 2 out of at least 152 professionals who were arbitrarily arrested in 1998 in Benghazi for involvement with Islamic organizations. Eighty-six of the 152 men were sentenced while 66 were acquitted. Those who were convicted received sentences ranging from 10 years to life imprisonment. The appeal trial opened on December 14. AI reported that lawyers for the accused were neither allowed to study their case files nor to meet with their clients. The lawyers were denied access to the court, and the judge appointed government clerks to replace them. Family members were allowed to meet the accused briefly for the first time since their arrest in April 2001, but then not again until at least December 2001 (see Sections 1.c. and 1.e.).

In May 1999, the 16 defendants of the case involving the HIV infection of nearly 400 children were kept in incommunicado detention for approximately 10 months, without access to their families or legal representation (see Sections 1.c. and 1.e.).

On September 1, the Government freed 62 political prisoners, including Muhammad Ali al-Akrami, al-Ajili Muhammad Abd al-

Raham al-Azhari, Muhammad Ali al-Qajiji, Salih Omar al-Qasbi, and Muhammad al-Sadiq al-Tarhuni, who had been imprisoned since 1973 for their peaceful involvement with the prohibited Islamic Liberation Party.

On September 1, the Government pardoned 50 Egyptian prisoners and deported them to Egypt. In October the Government returned 238 Nigerian prisoners arrested in anti-African riots in July 2001 to Nigeria to serve out jail terms imposed by courts, following an appeal by the Nigerian government.

There was no information available on Abdullah Ali al-Sanussi al-Darrat, who was detained without charge and has not had a trial since 1973 (see Section 2.a.).

The Government did not impose forced exile as a form of punishment, and it continued to encourage citizen dissidents abroad to return, promising to ensure their safety. It is unclear whether such promises were honored. The Government repatriated dozens of family members of suspected citizen al-Qa'ida members from Afghanistan and Pakistan in waves throughout the year. Although the Government publicly guaranteed their safety, the likelihood of such safety remained unclear. Students studying abroad have been interrogated upon their return.

In connection with the September 2000 mob violence against sub-Saharan workers, many sub-Saharan Africans, including Chadians, Ghanaians, and Nigerians were repatriated after seeking assistance from their embassies.

e. Denial of Fair Public Trial

The judiciary was not independent of the Government, and security forces had the power to pass sentences without trial. The Government used summary judicial proceedings to suppress domestic dissent.

There were four levels of courts: summary courts, which tried petty offenses; the courts of first instance, which tried more serious crimes; the courts of appeal; and the Supreme Court, which was the final appellate level.

Special revolutionary courts tried political offenses. Such trials often were held in secret or even in the absence of the accused. In other cases, the security forces had the power to pass sentences without trial, especially in cases involving political opposition. In the past, Qadhafi has incited local cadres to take extrajudicial action against suspected opponents.

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

On February 16, in the trial of the 152 professionals and students who were arrested in Benghazi for alleged involvement with an Islamic organization, an international human rights organization noted that the trial was held in secret and that the judges hearing the case were not legally qualified. At the time of their arrest, the defendants were not informed of the charges against them nor were they allowed to meet their lawyers for consultation (see Sections 1.c. and 1.d.).

On February 17, the special People's Court, charged with trying 16 health professionals (9 Libyans, 1 Palestinian, and 6 Bulgarians) in 1999 for allegedly infecting 400 children with HIV, dropped the conspiracy charge and transferred the proceedings to the criminal court. The attorney defending the persons claimed he was allowed to meet with his clients twice in the 3 years since their jailing. The case was still pending at year's end (see Sections 1.c. and 1.d.).

The Government held a large number of political prisoners. AI estimated that there were hundreds of persons imprisoned for political reasons; other groups put that number as high as 2,000. According to AI, in September 62 prisoners were released on the 33rd anniversary of Qadhafi coming to power.

The Government did not permit access to political prisoners by international human rights monitors.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Government does not respect the right to privacy. Security agencies often disregarded the legal requirement to obtain warrants before entering a private home. They also routinely monitored telephone calls.

The security agencies and the Revolutionary Committees oversaw an extensive network of informants; one credible foreign observer estimated that 10 to 20 percent of the population was engaged in surveillance for the Government. Exiles reported that family ties to suspected government opponents may result in harassment and detention. The Government may seize and destroy property belonging to "enemies of the people" or those who "cooperate" with foreign powers. In the past, citizens reported that the Government warned members of the extended family of government opponents that they too risked the death penalty.

The law provides for the punishment of families or communities that aid, abet, or do not inform the Government of criminals and oppositionists in their midst. The crimes include "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The law

also provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies. The "Code of Honor", passed by the People's General Congress in 1997, provides for collective punishment to be inflicted on the relatives of persons having committed certain crimes, normally opponents of the regime.

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as "the fruits of exploitation or corruption." In 1996 the Government ordered the formation of hundreds of "Purge" or Purification Committees composed of young military officers and students. The Purification Committees reportedly seized some "excessive" amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor in an effort to appease the populace and to strengthen the Government's power and control over the country. The activities of the Purification Committees continued during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government severely limited the freedoms of speech and of the press. This was especially true with regard to criticism of Qadhafi or his Government. The occasional instances of criticism of political leaders and policies in the state-controlled media usually were government attempts to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi. The authorities tolerated some difference of opinion in People's Committee meetings and at the General People's Congress.

The Government did not respond to requests on the whereabouts of the journalist Abdullah Ali al-Sanussi al-Darat, who has been detained without trial or charges brought against him since 1973 (see Section 1.d.).

In April the press announced that the Government had revoked writer Farag Sayyid Bul-Isha's citizenship as a punishment for his participation in a program on Al-Jazeera.

The Government restricted freedom of speech in several ways: by prohibiting all political activities not officially approved; by enacting laws so vague that many forms of speech or expression may be interpreted as illegal; and by operating a pervasive system of informants that created an atmosphere of mistrust at all levels of society (see Section 1.f.).

The State owns and controlled the media. There was a state-run daily newspaper, Al-Shams, with a circulation of 40,000. Local Revolutionary Committees published several smaller newspapers. The official news agency, JANA, was the designated conduit for official views. The Government did not permit the publication of opinions contrary to its policy. Such foreign publications as Newsweek, Time, the International Herald Tribune, L'Express, and Jeune Afrique were available, but authorities routinely censored them and had the power to prohibit their entry into the market.

Technology has made the Internet and satellite television widely available in the country. According to numerous anecdotal reports, both were accessed easily in Tripoli.

The Government restricted academic freedom. Professors and teachers who discussed politically sensitive topics face the risk of government reprisal.

b. Freedom of Peaceful Assembly and Association

The Constitution does not provide for the right of assembly, and the Government severely restricted this right. Public assembly was permitted only with Government approval and in support of the Government's positions.

The Government restricted the right of association; it grants such a right only to institutions affiliated with the Government. Under the law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion

The Government restricted freedom of religion. The country is overwhelmingly Sunni Muslim, and the leadership states publicly its preference for Islam.

In an apparent effort to eliminate all alternative power bases, the Government banned the once powerful Sanusiyya Sufi order of Islam. In its place, Qadhafi established the Islamic Call Society (ICS), which was the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also was responsible for relations with other religions, including Christian

churches in the country. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducted activities, suggesting that the organization remains operational. The Government heavily censored its clerics. Islamic groups whose beliefs and practices were at variance with the state-approved teaching of Islam were banned. Although most Islamic institutions were under state control, some mosques were endowed by prominent families; however, they generally followed the government-approved interpretation of Islam. Government officials repeatedly denounced militant Islam throughout the year.

Members of some minority religions were allowed to conduct services. Christian churches operated openly and were tolerated by the authorities. However, Christians were restricted by the lack of churches; there was a government limit of one church per denomination per city.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government usually does not restrict the internal movement of citizens, but it has imposed blockades on those cities and regions (primarily in the east) in which antigovernment attacks or movements originated.

The Government required citizens to obtain exit permits for travel abroad and limited their access to hard currency. A woman must have her husband's permission to travel abroad (see Section 5). Authorities routinely seized the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The Government has called on students, many of whom receive a government subsidy, and others working abroad, to return to the country on little or no notice.

The Government expelled noncitizens arbitrarily. The Government repatriated dozens of family members of suspected al-Qa'ida members from Afghanistan and Pakistan in waves throughout the year.

Following reports in October 2001 of mob violence in which 150 African workers were killed, the Government expelled hundreds of thousands of African migrants by driving them in convoys to the border with Niger and Chad and abandoning them there in the desert (see Sections 1.a., 5 and 6.e.). In February 2000, eight nationals were forcibly returned from Jordan and in July 2000 four nationals were forcibly returned from Pakistan. All were suspected of having sympathies with certain religious groups.

While the country has acceded to the 1969 Organization of African Unity Convention on refugees, it is not a signatory to the 1951 U.N. Convention relating to the Status of Refugees and its 1967 Protocol. The law does not include provisions for granting asylum, first asylum, or refugee status. The U.N. High Commissioner for Refugees (UNHCR) reported that there were approximately 33,000 refugees in the country, including 30,000 Palestinians and 3,000 Somalis. During 2001 the UNHCR assisted approximately 1,300 of the most vulnerable refugees in the country and supported income-generating programs for refugee women. The Government cooperated with UNHCR and provided free housing to approximately 850 refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Government denied citizens the right to change their government. Major government decisions were controlled by Qadhafi, his close associates, and committees acting in his name. Political parties were banned. Qadhafi appointed military officers and official functionaries down to junior levels. Corruption and favoritism, partly based on tribal origin, were major problems that adversely affected government efficiency.

In theory, popular political participation is provided by the grassroots People's Committees, which are open to both men and women, and which send representatives annually to the national General People's Congress (GPC). The GPC is chosen by Qadhafi and merely approves all recommendations made by him.

Qadhafi established the Revolutionary Committees in 1977. These bodies consisted primarily of youths who guard against political dissent. Some committees have engaged in show trials of government opponents; the committees also have been implicated in the killing of opponents abroad. The committees approve all candidates in elections for the GPC.

There was no reliable information on the representation of women and minorities in the Government.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations.

The Government created the Libyan Arab Human Rights Committee in 1989. The committee was not known to have published any reports.

The Government has not responded substantively to appeals from Amnesty International on behalf of detainees.

In June the African Union (AU) nominated the country to chair the 57th UN Commission on Human Rights (CHR). The nomination renewed international scrutiny of the country's human rights record and caused international organizations to criticize the AU for backing the country. The Government publicly dismissed criticism of its human rights record in August, issuing a statement that "respect of human rights is enshrined." In September Qadhafi's son Saif al-Islam defended the country's nomination on the grounds that chairing the CHR would influence the Government into better behavior.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government did not enforce the prohibitions, particularly those against discrimination against women and tribal minorities.

Women

Although there was little detailed information regarding the extent of violence against women, it remained a problem. In general, the intervention of neighbors and extended family members tended to limit the reporting of domestic violence. Abuse within the family rarely was discussed publicly, due to the value attached to privacy in society.

Some nomadic tribes located in remote areas still practiced FGM on young girls.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children (see Section 6.f.).

The 1969 Constitutional Proclamation granted women total equality. Despite this legal provision, traditional attitudes and practices prevailed, and discrimination against women persisted, keeping them from attaining the family or civil rights formally provided them. Women were reportedly prevented in practice from owning property. A woman must have the permission of her husband or another close male relative to travel abroad (see Section 2.d.).

Although their status is still not equal to that of men, the opportunity for women to make notable social progress increased in recent years. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government have contributed to the creation of new employment opportunities for women. In recent years, foreign diplomats have noted a growing sense of individualism in some segments of society, especially among educated youth. For example, many educated young couples preferred to set up their own households, rather than move in with their parents, and viewed polygyny with scorn. Educational differences between men and women have narrowed.

In general, the emancipation of women is a generational phenomenon: urban women under the age of 35 tended to have more "modern" attitudes toward life; however, older urban women tended to have more traditional attitudes toward family and employment. Moreover, a significant proportion of rural women did not attend school and were inclined to instill in their children such traditional beliefs as women's subservient role in society.

Female participation in the workforce, particularly in services, has increased in the last decade. However, employment gains by women were often inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace and by the resurgence of Islamic fundamentalist values. Some observers have noted that even educated women often lacked self-confidence and social awareness and sought only a limited degree of occupational and social equality with men.

Children

The Government subsidized education (which is compulsory until age 15) and medical care, and it has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services.

Sudanese girls reportedly have been trafficked and sold as slaves in the country (see Section 6.f.).

FGM was practiced on young girls.

Persons with Disabilities

No information was available on the Government's efforts, if any, to assist persons with disabilities.

National/Racial/Ethnic Minorities

Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constituted 97 percent of the population. The principal minorities are Amazighs and sub-Saharan Africans. There were frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also has attempted to keep the tribes fractured by pitting one against another.

Foreigners constituted a significant part of the workforce. According to some estimates, there were 2.5 million foreign workers. Africans in particular have become targets of resentment in the past. In October 2001, mobs of citizens in several locations reportedly killed 150 African workers, including a Chadian diplomat. The Government dispersed the rioters, but then reportedly expelled hundreds of thousands of African workers (see Sections 1.a., 2.d., and 6.e.). In September 2000, mobs beat and killed numerous African workers and, in some cases, burned their places of residence and employment. The mobs blamed the foreign population for increased crime and the presence of HIV/AIDS in the country.

Section 6 Worker Rights

a. The Right of Association

Independent trade unions and professional associations are prohibited, and workers do not have the right to form their own unions. The Government regards such structures as unacceptable "intermediaries between the revolution and the working forces." However, workers may join the National Trade Unions' Federation, which was created in 1972 and is administered by the People's Committee system. The Government prohibited foreign workers from joining this organization.

The official trade union organization played an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. The Arab Maghreb Trade Union Federation suspended the membership of the country's trade union organization in 1993. The suspension followed reports that Qadhafi had replaced all union leaders, and in some cases, with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively

Collective bargaining does not exist in any meaningful sense, because labor law requires that the Government must approve all agreements.

The law does not provide workers with the right to strike. In a 1992 speech, Qadhafi claimed that workers were permitted to strike but added that strikes do not occur because the workers control their enterprises. There were no reports of strikes during the year.

There were no export processing zones.

c. Prohibition of Forced or Bonded Labor

Forced or bonded labor is not prohibited by law, and there was no information regarding whether the law prohibits forced or bonded labor by children or whether such practices occurred. In its 2000 report, the International Labor Organization's (ILO) Committee of Experts stated that in the country "persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment," including "an obligation to perform labor." The ILO report also noted that public employees may be sentenced to compulsory labor "as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population."

There have been credible reports that the Government arbitrarily forced some foreign workers into involuntary military service or has coerced them into performing subversive activities against their own countries.

Despite the Penal Code's prohibition on slavery, citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum age for employment of children is 18. There was no information available on the prevalence of child labor, or whether forced or bonded labor by children is prohibited or practiced (see Section 6.c.).

e. Acceptable Conditions of Work

The labor law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

Wages, which are forbidden by the Green Book and are actually paid in the form of "entitlements" to workers, frequently were in arrears. A public sector wage freeze was imposed over a decade ago particularly in the face of consistently high inflation. According to some reports, the average family lived on \$170 (86.7 dinars) a month. Although there was no information available regarding whether the average wage was sufficient to provide a worker and family with a decent standard of living, the Government heavily subsidized rent, utilities, oil, and every day food staples such as flour and sugar. The legal maximum workweek is 48 hours.

Labor inspectors are assigned to inspect places of work for compliance with occupational health and safety standards. Certain industries, such as the petroleum sector, attempted to maintain standards set by foreign companies. There was no information regarding whether a worker may remove himself from an unhealthy or unsafe work situation without risking continued employment.

Although foreign workers constitute a significant percentage of the work force, the Labor Law does not accord them equality of treatment. Foreign workers were permitted to reside in the country only for the duration of their work contracts and could not send more than half of their earnings to their families in their home countries. They were subject to arbitrary pressures, such as changes in work rules and contracts, and had little option but to accept such changes or to depart the country. Foreign workers who were not under contract enjoyed no protection.

In 1997 the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a variety of societal problems as some of the problems in the Government's treatment of foreign laborers.

The Government used the threat of expulsion of foreign workers as leverage against countries whose foreign policies ran counter to the Government's.

In October 2001, mobs of citizens in several locations reportedly killed 150 African workers, leading to the deportation of hundreds of thousands of African workers by the Government (see Sections 1.a., 2.d., and 5). The violence followed similar attacks on African workers in September 2000.

f. Trafficking in Persons

There was no information available regarding whether the law specifically prohibits trafficking in persons. However, the offenses of prostitution and related offenses, including sexual trafficking are illegal in the Penal Code.

There have been reports of trafficking in persons. The country was a place of transit for women trafficked from Africa to central Europe, and there were reports that Sri Lankan women were transported through the country as well. In August 2001, Senegalese authorities detained 100 young Senegalese women from boarding a charter flight to the country. According to a media report, in September 2001 two French nationals of Senegalese origin were arrested and charged with organizing international prostitution. There were reports that these women were being sent to the country to work as prostitutes.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese Government troops in the ongoing civil war in Sudan (see Section 6.c.).